

R E M A R K S

Claims 1-7 are currently pending. In a telephonic interview with Applicants' attorney on June 19, 2003, the Examiner indicated that the elected peptide of SEQ ID NO: 5 was free of prior art. The Examiner requested election of 5 additional sequences along with SEQ ID NO:5 to be examined in this application. In response, Applicants have elected the following peptides in addition to the peptide of SEQ ID NO:5 (RRQRRTSKLMKR):

- (i) PIRRRKKLRRLK (SEQ ID NO:4);
- (ii) SRRKRQRSNMRI (SEQ ID NO:9);
- (iii) SFHQFARATLAS (SEQ ID NO:33);
- (iv) DPATNPGPHFPR (SEQ ID NO:58); and
- (v) TLPSPLALLTVH (SEQ ID NO:59).

Additionally, Applicants have amended the claims to remove the non-elected species. No new matter is introduced by the amended claims and the claims are fully supported by the instant specification

Entry of the foregoing amendments and remarks into the file of the above-identified application is respectfully requested. The Applicant believes that the invention defined by the amended claims meets all the requirements for patentability. An early allowance is earnestly sought.

PATENT

Attached hereto as **APPENDIX A** is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned

**"VERSION WITH MARKINGS TO SHOW CHANGES MADE."**

Respectfully submitted,

Dated: August 13, 2003

*Carmella L. Stephens*  
Rochelle K. Seide  
Patent Office Reg. No. 32,300

Carmella L. Stephens  
Patent Office Reg. No. 41,328

BAKER BOTTS L.L.P.  
30 Rockefeller Plaza  
New York, New York 10112-0228

Attorneys for Applicants  
(212) 408-2539

## APPENDIX A

VERSION WITH MARKINGS TO SHOW CHANGES MADEIN THE CLAIMS

Please cancel claims 1-7 and insert the following new claims:

---60. (new) A peptide having an amino acid sequence selected from the group consisting of PIRRRKKLRRLK (SEQ ID NO:4); RRQRRTSKLMKR (SEQ ID NO:5); SRRKRQRSNMRI (SEQ ID NO:9); SFHQFARATLAS (SEQ ID NO:33); DPATNPGPHFPR (SEQ ID NO:58); and TLPSPALLTVH (SEQ ID NO:59).

61. (new) The peptide of claim 1 wherein said peptide facilitates cellular internalization of a cargo linked thereto.

62. (new) The peptide of claim 2 wherein the peptide is PIRRRKKLRRLK (SEQ ID NO:4).

63. (new) The peptide of claim 2 wherein the peptide is RRQRRTSKLMKR (SEQ ID NO:5).

64. (new) The peptide of claim 2 wherein the peptide is SRRKRQRSNMRI (SEQ ID NO:9).

65. (new) The peptide of claim 2 wherein the peptide is SFHQFARATLAS (SEQ ID NO:33).

66. (new)     The peptide of claim 2 wherein the peptide is DPATNPGPHFPR  
(SEQ ID NO:58).

67. (new)     The peptide of claim 2 wherein the peptide is TLPSPLALLTVH  
(SEQ ID NO:59).

68. (new)     The peptide of claim 1 wherein the peptide provides for nuclear  
translocation in a target cell.---